REMARKS

In response to the Office Action mailed April 19, 2007, Applicants sincerely request reconsideration in view of the above claim amendments and the following remarks. Claims 1-30 are currently pending in the application and stand rejected. In response, claims 1, 14 and 20 have been amended and claims 1-30 remain pending. No new matter is added.

Claim Rejections – 35 U.S.C. § 112

Claims 2, 4-6, 7-9 and 23 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Applicant respectfully traverses the rejection.

Regarding Claim 2, the description of the term "island" is disclosed at least in paragraph [0090]. Accordingly, the Applicant respectfully requests withdrawal of this rejection of Claim 2. Regarding Claims 4 and 23, the description of the term "queue" is disclosed at least in paragraph [0082]. Accordingly, the Applicant respectfully requests withdrawal of this rejection of Claims 4 and 23. Regarding Claims 5 and 6, Applicant submits that the term "maximal" would be understood by one skilled in the art based on its common definition. Accordingly, the Applicant respectfully requests withdrawal of this rejection of Claims 5 and 6. Regarding Claims 7 and 8, Applicant submits that the term "associated" would be understood by one skilled in the art based on its common definition. Accordingly, the Applicant respectfully requests withdrawal of this rejection of Claims 7 and 8.

Claim Rejections – 35 U.S.C. § 102

Claims 1-30 stand rejected under 35 U.S.C. 102(b) as being anticipated by Hogan et al., U.S. Patent No. 5,414,809, (hereinafter *Hogan*). Claims 1, 14 and 20 have been amended, and Applicant respectfully submits that the amendments overcome this rejection and add no new matter.

Amended Claim 1 recites a method for managing the preparation of a set of graphical elements for presentation comprising, *inter alia*, executing a first series of operations for measuring the elements comprising the first subset, wherein an operation of the first series of

operations includes, determining whether each element in the first subset has any children and computing a size for any elements in the first subset having children.

Amended Claim 14 recites a system for managing the preparation of a set of graphical elements for presentation comprising, *inter alia*, a first procedure using the first data structure for managing the measuring of elements, wherein the first procedure determines whether each graphical element in the first subset of graphical elements has any children and computes a size for any elements in the first subset of graphical elements having children and a second procedure using the second data structure for managing the arranging of elements, wherein the second procedure determines whether each graphical element in the second subset of graphical elements has any children and performs internal arrangement functions on any elements in the second subset of graphical elements having children.

Amended Claim 20 recites a computer-readable medium including computer-executable instructions facilitating managing the preparation of graphical elements for presentation in a system, computer executable instructions executing the steps of, *inter alia*, executing a second series of operations for arranging the elements comprising the second subset, wherein an operation of the second series of operations includes, determining whether each element in the second subset has any children and performing internal arrangement functions on any elements in the second subset of graphical elements having children.

Hogan discloses a method of using a computer to implement a graphical interface having a single view style for a single type of graph. (*See Hogan* column 1, lines 34-36.) *Hogan* discloses that the primary concern of a view style is determining the size and position of graphical objects and typically, this determination is on the basis of a data field of a data record associated: with the graphical object. (*See Hogan* column 4, lines 22-30.) Hogan discloses that all visible nodes represent actual data items, and connections between nodes represent the parent/child relationship between the data items. (*See Hogan* column 53 line 67 through column 54 lines 2.)

In contrast with Claim 1, *Hogan* fails to disclose executing a first series of operations for measuring the elements comprising the first subset, wherein an operation of the first series of operations includes, determining whether each element in the first subset has any children and computing a size for any elements in the first subset having children. While *Hogan* may mention

9

a parent/child relation and determining the size of a graphical object, *Hogan* fails to determine the size of an element based on whether the element has any children. *Hogan* determines the size and position of graphical objects based on a data field of a data record associated with the graphical object, not children. (*See Hogan* column 4, lines 22-30.) *Hogan* is merely directed to implementing a graphical interface having a single view style for a single type of graph, not identifying, measuring and arranging set of elements for presentation. Accordingly, independent Claim 1 patentably distinguishes the present invention over the cited art, and Applicant respectfully requests withdrawal of this rejection of Claim 1. Dependent Claims 2-12 are also allowable at least for the reasons described above regarding independent Claim 1, and by virtue of their dependency upon independent Claim 1. Accordingly, Applicant respectfully requests withdrawal of this rejection of Claims 2-12.

In contrast with Claim 14, *Hogan* fails to disclose a first procedure using the first data structure for managing the measuring of elements, wherein the first procedure determines whether each graphical element in the first subset of graphical elements has any children and computes a size for any elements in the first subset of graphical elements having children and a second procedure using the second data structure for managing the arranging of elements, wherein the second procedure determines whether each graphical element in the second subset of graphical elements has any children and performs internal arrangement functions on any elements in the second subset of graphical elements having children. While *Hogan* may mention a parent/child relation and determining the size of a graphical object, *Hogan* fails to determine the size of an element based on whether the element has any children. *Hogan* determines the size and position of graphical objects based on a data field of a data record associated with the graphical object, not children. (*See Hogan* column 4, lines 22-30 and column 22 lines 47-60.) *Hogan* is merely directed to implementing a graphical interface having a single view style for a single type of graph, not identifying, measuring and arranging set of elements for presentation. In addition, *Hogan* fails to perform internal arrangement functions on an element based on whether the element has children. *Hogan* determines the size and position of graphical objects based on a data field of a data record associated with the graphical object, not children. (*See Hogan* column 4, lines 22-30 and column 22 lines 47-60.) Accordingly, independent Claim 14 patentably distinguishes the present invention over the cited art, and Applicant respectfully requests withdrawal of this rejection of Claim 14. Dependent Claims 15-19 are also allowable at

least for the reasons described above regarding independent Claim 14, and by virtue of their dependency upon independent Claim 14. Accordingly, Applicant respectfully requests withdrawal of this rejection of Claims 15-19.

In contrast with Claim 20, *Hogan* fails to disclose executing a second series of operations for arranging the elements comprising the second subset, wherein an operation of the second series of operations includes, determining whether each element in the second subset has any children and performing internal arrangement functions on any elements in the second subset of graphical elements having children. While *Hogan* may mention a parent/child relation and a position of graphical objects, *Hogan* fails to perform internal arrangement functions on an element based on whether the element has any children. *Hogan* determines the size and position of graphical objects based on a data field of a data record associated with the graphical object, not children. (*See Hogan* column 4, lines 22-30 and column 22 lines 47-60.) *Hogan* is merely directed to implementing a graphical interface having a single view style for a single type of graph, not identifying, measuring and arranging set of elements for presentation. Accordingly, independent Claim 20 patentably distinguishes the present invention over the cited art, and Applicant respectfully requests withdrawal of this rejection of Claim 20. Dependent Claims 21-30 are also allowable at least for the reasons described above regarding independent Claim 1, and by virtue of their dependency upon independent Claim 20. Accordingly, Applicant respectfully requests withdrawal of this rejection of Claims 21-30.
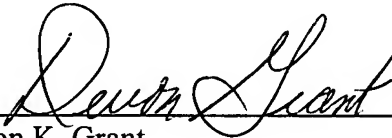
CONCLUSION

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicant at the telephone number provided below.

Respectfully submitted,

MERCHANT & GOULD P.C.

Date: July 6, 2007

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